

AMENDMENT TO PROGRAMMATIC AGREEMENT
AMONG

THE UNITED STATES DEPARTMENT OF ENERGY, THE TENNESSEE STATE
HISTORIC PRESERVATION OFFICE, THE TENNESSEE DEPARTMENT OF HUMAN SERVICES,
AND THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
REGARDING THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM,
THE STATE ENERGY PLAN AND THE WEATHERIZATION ASSISTANCE PROGRAM
UNDERTAKINGS
PURSUANT TO 36 CFR PART 800

WHEREAS, on November 15, 2010, The United States Department of Energy (DOE), The Tennessee State Historic Preservation Officer, and The Tennessee Department of Human Services, and The Tennessee Department of Economic and Community Development entered into a Programmatic Agreement (Agreement) to fulfill the requirements of Section 106 of the National Historic Preservation Act for certain DOE-funded Undertakings in Tennessee.

WHEREAS, in 2010, as the result of unprecedented funding levels resulting from the implementation of the American Recovery and Reinvestment Act (Recovery Act), DOE, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO) developed a first-of-its-kind [Prototype Programmatic Agreement](#) (Prototype PA) for National Historic Preservation Act Section 106 reviews;

WHEREAS, the intent of the Prototype PA was to provide DOE, recipients of financial assistance under DOE's Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency Conservation Block Grant (EECBG) program, as applicable, and State Historic Preservation Offices (SHPOs) with a tailored method for complying with Section 106 of the National Historic Preservation Act. DOE, recipients, and SHPOs negotiated and executed subsequent programmatic agreements (subsequent PAs; i.e. this Agreement) in accordance with the Prototype PA;

WHEREAS, the Prototype PA originally provided that each subsequent PA would be valid for three years from the date of execution. As the result of ACHP's Program Comment dated March 11, 2013, however, all subsequent PAs, including this Agreement, were extended through December 31, 2020. (78 FR 16275, 16277);

WHEREAS, the Tennessee Department of Environment and Conservation – Office of Energy Programs now administers the State Energy Program and the Tennessee Housing Development Agency now administers the Weatherization Assistance Program;

WHEREAS, ACHP, NCSHPO, and DOE recognize the Prototype PA and subsequent PAs continue to provide great value to DOE, recipients, and SHPOs, notwithstanding expiration of most Recovery Act funding, this amendment extends the use of the Agreement for an additional 10 years; and

WHEREAS, DOE will send a copy of this executed amendment to the ACHP;

NOW, THEREFORE, in accordance with Stipulation XIV of the Agreement, the signatories of this Amendment agree as follows:

1. Change all references to the 'Tennessee Department of Human Services' to the 'Tennessee Housing Development Agency' and the 'Tennessee Department of Economic and Community Development' to the 'Tennessee Department of Environment and Conservation – Office of Energy Programs'.

2. Amend Stipulation XV so it reads as follows:

This PA will be valid until December 31, 2030, as verified with DOE filing the PA with the ACHP.

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:



Ralph M. Perrey
Executive Director
Tennessee Housing and Development Agency

November 13, 2020

Date

David W. Salyers, P.E.
Commissioner
Tennessee Department of Environment and Conservation

Date

Patrick McIntyre Jr.
Executive Director and State Historic Preservation Officer
Tennessee Historical Commission

Date

Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

Date

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SIGNATORIES:

Ralph Perrey Date
Executive Director
Tennessee Housing and Development Agency

David W Salyers

David W Salyers (Nov 10, 2020 14:59 CST)

David W. Salyers, P.E. Date
Commissioner
Tennessee Department of Environment and Conservation

Patrick McIntyre Jr. Date
Executive Director and State Historic Preservation Officer
Tennessee Historical Commission

Derek G. Passarelli Date
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

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Executive Director
Tennessee Housing and Development Agency
Date

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Commissioner
Tennessee Department of Environment and Conservation
Date

E Patrick McIntyre Jr.

Patrick McIntyre Jr.
Executive Director and State Historic Preservation Officer
Tennessee Historical Commission
Date 11/17/2020

Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy
Date

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Executive Director and State Historic Preservation Officer
Tennessee Historical Commission

Date

Derek G. Passarelli
Derek G. Passarelli
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

November 20, 2020
Date